

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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Chapter 7

In re:

Naseer Abdullah Mohammad and Tati Maryati Mohammad,

Debtors.

BKY No. 13-41265

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**NOTICE OF HEARING AND MOTION FOR WAIVER OF DISCHARGE**

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Debtor, Naseer Abdullah Mohammad, respectfully moves the Court for the relief requested below and gives notice of hearing.

1. The Court will hold a hearing on this motion at 9:00 a.m. on August 21, 2013, in Courtroom No. 8W, 8th Floor, at the United States Courthouse, at 300 South Fourth Street, in Minneapolis, Minnesota 55415.
2. Any response to this motion must be filed and served no later than August 16, 2013, which is five days before the time set for the hearing (including Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT TO MOTION WITHOUT A HEARING.**
3. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 4004 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on March 15, 2013.
4. This motion arises under 11 U.S.C. § 727(a)(10). This motion is filed under Fed. R. Bankr. P. 9014 and Local Rules 9013-2.

5. Debtor requests the Court to approve his Waiver of Discharge.

WHEREFORE, Debtor, Naseer Abdullah Mohammad, moves the Court for an order approving his written waiver of his right to a discharge and such other relief as may be just and equitable.

**DUDLEY AND SMITH**

Dated: July 30 2013

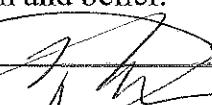
By:   
Brian M. Glodosky #386711  
Dudley and Smith, P.A.  
2602 U S Bank Center  
101 E 5th St  
St Paul, MN 55101

Attorneys for Debtors

**VERIFICATION**

I, Naseer Abdullah Mohammad, the debtor and movant named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: July 25, 2013

  
Signed:   
Naseer Abdullah Mohammad  
212 Dresden Alcove  
Waverly, MN 55390

**UNITED STATES BANKRUPTCY COURT  
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**MEMORANDUM OF FACT AND LAW**

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Debtor, Naseer Abdullah Mohammad, submits this Memorandum of Fact and Law in support of his Notice of Hearing and Motion for Waiver of Discharge.

**FACTS**

The debtor filed the petition commencing this Chapter 7 case on March 15, 2013. He seeks an order from the Court approving a waiver of discharge in this case under U.S.C. 11 § 772(a)(10) in order to avoid the tribulation and expense of an adversary proceeding. In return for debtor's waiver of discharge the United States Trustee has agreed to drop the pending adversary litigation.

**ARGUMENT**

11 U.S.C. § 727(a)(10) provides the Court may approve a written waiver of discharge executed by the debtor after the order for relief under this chapter. This Chapter 7 case was commenced on March 15, 2013. Now through this motion debtor seeks approval

from this Court for waiver of discharge in this case. Debtor has been advised by counsel of the consequences of a waiver of discharge and he wishes to avoid the tribulation and expense of any further adversary litigation. Therefore, the court should approve this waiver of discharge.

**DUDLEY AND SMITH**

Dated: July 30, 2013

By: /s/ Brian M. Glodosky  
Brian M. Glodosky #0386711  
Dudley and Smith, P.A.  
2602 U S Bank Center  
101 E 5th St  
St Paul, MN 55101

Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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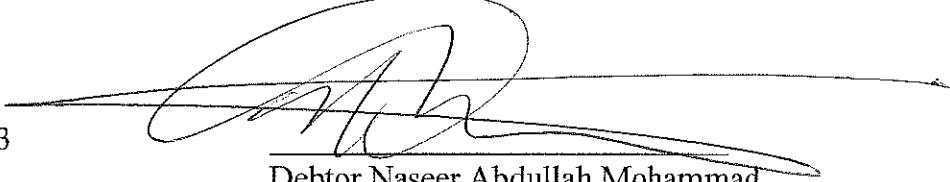
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WAIVER OF DISCHARGE

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The undersigned debtor expressly waives discharge of his right to discharge his debts under 11 U.S.C. § 727(a)(10).

Dated: July 22, 2013

  
Debtor Naseer Abdullah Mohammad

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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Chapter 7

In re:

Naseer Abdullah Mohammad and Tati Maryati Mohammad,

Debtors.

BKY No. 13-41265

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**ORDER APPROVING DEBTOR'S MOTION FOR WAIVER OF DISCHARGE**

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This matter came before the Court on Debtor Naseer Abdullah Mohammad's Motion for Waiver of Discharge (hereinafter referred to as "Motion"). Having considered the Motion, the testimony of the Debtor and requirements set forth in the Bankruptcy Code and Rules, and being sufficiently advised, the Court hereby FINDS:

1. That the Debtor, Naseer Abdullah Mohammad, has been sufficiently advised by counsel as to the breadth of his consequences of his waiver and is knowingly and voluntarily making the decision to waive his discharge with a sufficient understanding of the ramifications of such waiver.

**THE COURT THEREFORE ORDERS:**

That the Motion is well taken and shall be granted, and that the Court approves the Debtor's written waiver of discharge.

Dated: \_\_\_\_\_

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Kathleen H. Sanberg  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

Naseer Abdullah Mohammad,  
Tati Maryati Mohammad,

Case No. 13-41265  
Chapter 7 Case

Debtors.

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UNSWORN DECLARATION FOR PROOF OF SERVICE

Michelle D. Borries states under penalty of perjury that she is an employee of Dudley and Smith, P.A., and in the course of said employment she served the following documents:

- Notice of Hearing and Motion for Waiver of Discharge and, if approved, Dismissal of § 727 Adversary Action (Case No. 13-04184) by debtor Tati Maryati Mohammad;
- Memorandum of Fact and Law;
- Waiver of Discharge by debtor Tati Maryati Mohammad;
- proposed Order Approving Debtor's Motion for Waiver of Discharge and Dismissing Adversary Proceeding No. 13-04184;
- Notice of Hearing and Motion for Waiver of Discharge by debtor Naseer Abdullah Mohammad;
- Memorandum of Fact and Law;
- Waiver of Discharge by debtor Naseer Abdullah Mohammad; and
- proposed Order Approving Debtor's Motion for Waiver of Discharge

on the entities named on the attached Service List by enclosing true and correct copies of same in an envelope, properly addressed and postage prepaid, and depositing same in the United States mail, and by electronic service upon the Chapter 7 Trustee, and the Office of the United States Trustee on the date listed below.

Dated: August 2, 2013

/s/ Michelle D. Borries  
Michelle D. Borries

## SERVICE LIST

ACS/JP MORGAN CHASE  
2277 EAST 220TH STREET  
CARSON, CA 90810

CAPITAL ONE / BEST BUY  
PO BOX 30253  
SALT LAKE CITY, UT 84130

CAPITAL ONE BANK  
PO BOX 5253  
CAROL STREAM, IL 60197

CITIMORTGAGE INC  
PO BOX 6243  
SIOUX FALLS, SD 57117

COMENITY BANK / ANN TAYLOR  
PO BOX 182789  
COLUMBUS, OH 43218

DIRECT LOAN SERVICING  
PO BOX 5609  
GREENVILLE, TX 75403-5609

DISCOVER BANK / SAM'S CLUB  
PO BOX 965004  
ORLANDO, FL 32896

EDFINANCIAL SERVICES  
PO BOX 36008  
KNOXVILLE, TN 37930-6008

FIFTH THIRD BANK  
MD# ROPS05 Bankruptcy Department  
1850 East Paris SE  
Grand Rapids, MI 49546-6253

FIRST AMERICAN PAYMENT SYSTEMS  
301 COMMERCE STREET, STE 200  
FORT WORTH, TX 76102

First American Payment Systems  
100 Throckmorton Street, Suite 1800  
Fort Worth, TX 76102

FIRST DATA LEASING  
PO BOX 173845  
DENVER, CO 80217

FIRST DATA MERCHANT SERVICES  
400 CORAL RIDGE DRIVE  
CORAL SPRINGS, FL 33065

GE Capital Retail Bank  
c/o Recovery Management Systems Corp  
25 SE 2nd Ave Suite 1120  
Miami FL 33131-1605

GECRB / JC PENNEY  
PO BOX 965005  
ORLANDO, FL 32896

LEASE FINANCE GROUP  
PO BOX 7861  
NEW YORK, NY 10116

LEASE FINANCE GROUP LLC  
132 W 31ST ST  
14TH FLOOR  
NEW YORK NY 10001

LEASE FINANCIAL GROUP  
233 NORTH MICHIGAN AVE, STE 1800  
CHICAGO, IL 60601

Lease Financial Group, LLC  
65 East Wacker Place, Suite 510  
Chicago, IL 60601

LOBECCO, LLC  
C/O STEVEN G. POTACH  
1110 TCF TOWER  
121 SOUTH EIGHTH STREET  
MINNEAPOLIS, MN 55402

LOBEKO LLC  
C/O MID-AMERICA REAL ESTATE  
5353 WAYZATA BLVD SUITE 650  
MPLS MN 55418

MACYS / DSNB  
PO BOX 8218  
MASON, OH 45040

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788  
Kirkland, WA 98083-0788

SALLIE MAE  
PO BOX 9500  
WILKES-BARRE, PA 18773-9500

Sallie Mae  
c/o Sallie Mae Inc.  
220 Lasley Ave  
Wilkes-Barre, PA 18706

SAM'S CLUB DISCOVER/GECRB  
PO BOX 960013  
ORLANDO, FL 32896

SODERBERG APARTMENT SPECIALIST  
6401 CAMDEN AVENUE  
BROOKLYN CENTER, MN 55430

STATE OF MINNESOTA  
MN DEPT OF REVENUE  
COLLECTION DIVISION  
PO BOX 64564  
SAINT PAUL, MN 55164-0564

TOYOTA MOTOR CREDIT CORPORATION  
PO BOX 8026  
CEDAR RAPIDS, IA 52408

WELLS FARGO BANK  
PO BOX 5943  
SIOUX FALLS, SD 57117

Wells Fargo Bank NA  
PO Box 10438  
Des Moines IA 50306-0438

WELLS FARGO CARD SERVICES  
PO BOX 14517  
DES MOINES, IA 50306

Wells Fargo Card Services  
1 Home Campus  
3rd Floor  
Des Moines, IA 50328

WF FINANCIAL CARDS  
CSCL DSP TM MAC N8235-04M  
PO BOX 14517  
DES MOINES, IA 50306

Capital One, N.A.  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Rd, Suite #200  
Tucson, AZ 85712-1083

Fifth Third Bank  
c/o Wilford & Geske  
8425 Seasons Pkwy, Suite 105  
Woodbury, MN 55125-4393